

1 **GUTRIDE SAFIER LLP**

2 Seth A. Safier (State Bar No. 197427)
seth@gutridesafier.com
3 Marie A. McCrary (State Bar No. 262670)
marie@gutridesafier.com
4 Hayley A. Reynolds (State Bar No. 306427)
hayley@gutridesafier.com
5 Rajiv V. Thairani (State Bar No. 344390)
rajiv@gutridesafier.com
6 100 Pine Street, Suite 1250
San Francisco, CA 94111
7 Telephone: (415) 639-9090
Facsimile: (415) 449-6469

8 *Attorneys for Plaintiff*
9 Lynn Zimmerman

10 **AMIN TALATI WASSERMAN, LLP**

11 Matthew R. Orr (State Bar No. 211097)
matt@amintalati.com
12 William P. Cole, (State Bar No. 186772)
william@amintalati.com
13 Richard L. Hyde, (State Bar No. 286023)
richard@amintalati.com
14 515 South Flower St., 18th Floor
Los Angeles, CA 90071
15 Telephone: (213) 933-2330
Facsimile: (312) 884-7352

16 *Attorneys for Defendant*
17 *Three Wishes Foods, Inc.*

18 **UNITED STATES DISTRICT COURT FOR THE**

19 **NORTHERN DISTRICT OF CALIFORNIA**

20 LYDIA HARVILLE, an individual, on
21 behalf of herself, the general public, and
22 those similarly situated,

23 Plaintiff,

24 v.

25 THREE WISHES FOODS, INC.,

26 Defendant.

27 CASE NO. 5:22-cv-04774-EJD

28 **STIPULATION AND [PROPOSED]
ORDER TO EXTEND BRIEFING
SCHEDULE ON DEFENDANT'S
MOTION TO STAY**

AS MODIFIED

1 Pursuant to Civil Local Rule 6-1(b), 6-2(a), and 7-12, Plaintiff Lydia Harville
2 (“Plaintiff”) and Defendant Three Wishes Foods, Inc. (“Defendant,” and together with Plaintiff,
3 the “Parties”), by and through their undersigned counsel of record, hereby stipulate with respect
4 to the briefing deadlines for Defendant’s Motion to Stay (ECF No. 34):

5 WHEREAS, Plaintiff filed her complaint on August 19, 2022 (ECF No. 1);

6 WHEREAS, pursuant to stipulation (ECF No. 13), Defendant filed its Motion to Dismiss
7 on October 21, 2022 (ECF No. 17);

8 WHEREAS, the hearing on Defendant’s Motion to Dismiss was set for March 30, 2023
9 (ECF No. 17);

10 WHEREAS, Plaintiff filed her Opposition to Defendant’s Motion to Dismiss on
11 November 25, 2022. (ECF No. 21);

12 WHEREAS, Defendant filed its Reply in support of its Motion to Dismiss on December
13 22, 2022. (ECF No. 22).

14 WHEREAS, Defendant filed its Motion to Stay on March 20, 2023. (ECF No. 34).

15 WHEREAS, the hearing on Defendant’s Motion to Stay is on July 13, 2023 (ECF No.
16 34), and the hearing on Defendant’s Motion to Dismiss was continued to July 13, 2023 (ECF
17 36).

18 WHEREAS, the current deadline for the opposition to the Motion to Stay is April 3, 2023
19 (ECF No. 36);

20 WHEREAS, the current deadline for the reply in support of the Motion is April 10, 2023
21 (ECF No. 36);

22 WHEREAS, due to competing case deadlines in other cases, Plaintiff requested, and
23 Defendant agreed to, an extension on the briefing schedule for the Motion to Stay;

24 WHEREAS, the proposed schedule will not alter the date of any other event or any
25 deadline, including the hearing on the Motion to Dismiss and Motion to Stay;

26 WHEREAS, no party will be prejudiced by the stipulated-to extension of time;

1 WHEREFORE, the Parties stipulate and agree that the briefing deadlines on Defendant's
2 Motion to Stay be set as follows:

- 3 a) Plaintiff's Opposition to Defendant's Motion to Stay: April 10, 2023
4 b) Defendant's Reply in Support of its Motion to Stay: April 17, 2023
5 c) The hearing, if any, on the Motion to Stay shall take place on July 13, 2023.

6 IT IS STIPULATED AND AGREED.

7 DATED: March 31, 2023.

8 **GUTRIDE SAFIER LLP**

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10 s/Rajiv V. Thairani
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12 seth@gutridesafier.com
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14 marie@gutridesafier.com
15 Hayley A. Reynolds (State Bar No. 306427)
16 hayley@gutridesafier.com
17 Rajiv V. Thairani (State Bar No. 344390)
18 rajiv@gutridesafier.com
19 100 Pine Street, Suite 1250
20 San Francisco, CA 94111
21 Telephone: (415) 639-9090
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24
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s/ Matthew R. Orr
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Los Angeles, CA 90071
Tel: (213) 933-2330
Fax: (312) 884-7352

Attorneys for Defendant
Three Wishes Foods, Inc.

FILER ATTESTATION

I, Rajiv V. Thairani, attest under Local Rule 5-4.3.4(a)(2)(i) that all other signatories listed, and on whose behalf the filing is submitted, concur in the filing's content and have authorized the filing.

s/ Rajiv V. Thairani
Rajiv V. Thairani

[PROPOSED] ORDER

PURSUANT TO JOINT STIPULATION, IT IS SO ORDERED: Plaintiff's deadline to file an opposition to Defendant's Motion to Stay is April 10, 2023. Defendant's deadline to file a reply in support of its Motion to Stay is April 17, 2023. The hearing on Defendant's Motion to Stay is set for 9:00 a.m. on July 13, 2023.

Dated: March 31, 2023

The Honorable Edward J. Davila
United States District Judge
Northern District of California